

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

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|--|---|------------------------|
| CREEDON CONTROLS, INC., a Delaware |) | |
| corporation, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | C. A. No. 05-300 (JJF) |
| |) | |
| BANC ONE BUILDING CORPORATION, |) | |
| an Illinois corporation, and FOREST ELECTRIC |) | |
| CORPORATION, a New York corporation, |) | |
| |) | |
| Defendants. |) | |

AMENDED RULE 16 SCHEDULING ORDER

IT IS HEREBY STIPULATED AND AGREED by the parties to this action, subject to the approval of the Court, that the Court's July 28, 2005 Rule 16 Scheduling Order (D.I. # 7) (the "Scheduling Order") is amended as follows:

4. Subparagraph 4(d) of the Scheduling Order is amended to provide that non-expert depositions shall be concluded by June 28, 2006. Subparagraph 4(e) is amended to provide that reports from retained experts required by Fed. R. Civ. P. 26(a)(2) are due from the Plaintiff by July 17, 2006, and from the Defendants by August 21, 2006.

7. Paragraph 7 of the Scheduling Order is amended to provide that any case dispositive motions relating to the issues of whether (i) Forest Electric Corporation ("Forest") had authority to act as an agent of Banc One Building Corporation ("BOBC"), or (ii) BOBC is in privity of contract with Creedon Controls, Inc. ("Creedon") or whether Creedon is solely a subcontractor to Forest, shall be served and filed with an opening brief on or before July 14, 2006. All other dispositive motions shall be filed with an opening brief on or before August 28, 2006.

8. Subparagraphs 8(a) and 8(c) of the Scheduling Order are amended to provide that should the parties encounter a discovery or scheduling issue that counsel, despite their best efforts, are unable to resolve, they shall contact chambers by telephone so that the Court may either promptly convene a conference with the parties or request written submissions.

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Attorneys for Creedon Controls, Inc.

SO ORDERED this _____, day of July 2006

Joseph J. Farnan
United States District Court Judge